

# Board of Public Utilities

## WATER RECLAMATION DIVISION

P.O. Box 1469, Cheyenne, Wyoming 82003, Phone (307) 635-3163  
8911 Campstool Road, Cheyenne, WY 82007 Facsimile(307)635-6833

June 18, 2008

Dave Danford, Environmental Manager  
Frontier Refining Inc  
2500 East 5<sup>th</sup> Street  
Cheyenne, WY 82001

Subject: Permit Renewal and Administrative Actions

Dear Mr. Danford,

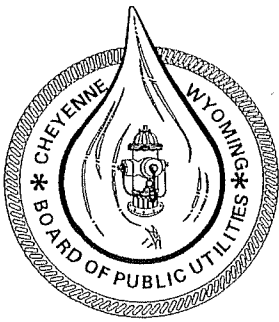
The current wastewater discharge permit issued to Frontier Refining Inc #2005 Frontier -1 is being renewed effective 1 July, 2008.

Permit #2008 Frontier-2 will become enforceable on the effective date of the new permit.

Existing Notices of Violation, Consent Order, or any other administrative action or penalties issued under the previous permit will remain in effect until resolved and conditions under such orders are complied with.

Sincerely,

Jim Hughes, Manager  
Water Reclamation Division



# Board of Public Utilities

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8911 Campstool Road, Cheyenne, WY 82007 Facsimile(307)635-6833

### INDUSTRIAL WASTEWATER DISCHARGE PERMIT

### AUTHORIZATION TO DISCHARGE

TO THE CHEYENNE WYOMING WASTEWATER  
COLLECTION SYSTEM

PERMIT NO: 2008 FRONTIER REFINING - 2

EFFECTIVE DATE 1 JULY 2008

EXPIRATION DATE 30 JUNE 2011

*Hand Delivered  
on 6-20-08 @ 1045  
To Scott Denton  
Ken [Signature]*

## INDUSTRIAL USER PERMIT

In accordance with the provisions of the Cheyenne City Code, Title 13, Chapter 13.20, Article 3, "Wastewater Contribution Permit Requirements".

FRONTIER REFINING INC.  
2700 EAST 5<sup>TH</sup> STREET  
CHEYENNE, WY 82007

is hereby authorized to discharge domestic or treated industrial wastewater from the above-identified facility and through the outfalls identified herein into the Cheyenne Wastewater Collection System in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of Title 13, Section 13.20 of the Cheyenne City Code.

This permit shall become effective on 1 JULY 2008 and shall expire at midnight on 30 JUNE 2011.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements in Title 13 of the Cheyenne City Code, a minimum of 90 days prior to the expiration date.

(Official Seal of the Board of Public Utilities of the City of Cheyenne)

By: Jim Hughes

Division Manager

Reissued this 15th day of June 2008

**PART 1 - EFFLUENT LIMITATIONS**

A. During the period of 1 JULY 2008 to 30 JUNE 2011 the permittee is authorized to discharge domestic and treated industrial process wastewater to the Cheyenne Wastewater Collection System from the outfalls listed below.

Description of outfalls:

<u>Outfall</u>	<u>Descriptions</u>
001	The Outfall located at the Southeast corner of the Frontier Refinery property (Process wastewater discharges only)
002	The manhole located directly South of the Refinery's Holding Ponds (Domestic wastewater discharges only)
003	The Manhole located directly South of the Gate near the Coker Unit (Domestic wastewater discharges only).
004	North East Projects Complex outfall North to Rollins Sanitary sewer line
005	Laboratory Outfall to be located where the Frontier Refining Laboratory Line enters the BOPU Manhole directly South of 5 Street and Duff Avenue on Refinery Property.
006	Manhole located North of Campstool Road directly across from the new plant operator building

- B. During the period of 1 July 2008 to 30 June 2011 the discharge from Outfall 001 shall not exceed the following City of Cheyenne Local Effluent Limitations:

<u>EFFLUENT LIMITATIONS</u>	
<u>Parameter</u>	<u>Daily max</u>
Flow	300 gpm Annual Average/550 gpm Max Flow
Temperature	65 Degree C
Biochemical Oxygen Demand (BOD)	350 mg/l
Total Suspended Solids (TSS)	700 mg/l
PH	Not less than 5.0 su or Greater than 11.0 su
Ammonia	60 mg/l
Arsenic (As)	0.423100 mg/l
Cadmium (Cd)	0.013 mg/l
Chromium (Cr)	5.129 mg/l
Copper (Cu)	0.185 mg/l
Lead (Pb)	0.180 mg/l
Mercury (Hg)	0.012 mg/l
Molybdenum (Mo)	0.638 mg/l
Nickel (Ni)	0.332 mg/l
Selenium (Se)	0.522 lbs/day
Silver (Ag)	0.124 mg/l
Zinc (Zn)	1.339 mg/l
Total Petroleum Hydrocarbons	50 mg/l
Oil and Grease	100 mg/l
Benzene	50 ug/l
BTEX (Sum of Benzene, Ethylbenzene, Toluene Xylene)	750.00 ug/l

D. The discharge of non-domestic wastewater through outfalls 002, 003, 004, 005 and 006 is specifically prohibited. During the period of this permit the permittee's discharge from Outfalls 002, 003, 004, 005 and 006 shall be only domestic wastewater and shall not exceed the following effluent limitations:

<u>EFFLUENT LIMITATIONS</u>	
<u>Parameter</u>	<u>Daily Max</u>
pH	Not less than 5.0 su or greater than 11.0 su
Oil and Grease	100 mg/l
Total Petroleum Hydrocarbons	50 mg/l
Benzene	50 ug/l
BTEX (Sum of Benzene, Ethylene, Toluene Xylene)	750 ug/l

D. Any single sample analysis and/or measurement determined to have greater than the allowed effluent limitation of any pollutant limited in this permit or is found to contain one or more of the following restricted substances as listed in the Cheyenne City Code, Title 13, Chapter 13.20, Article 1, Section 13.20.040, shall be considered a violation of the conditions of this permit.

1. Where a Permittee is subject to EPA Categorical Pretreatment Standards that control pollutants not enumerated above, or contained limitations that are more stringent than indicated above, the Permittee is subject to the requirement of the EPA Categorical Pretreatment Standards. Under no circumstances shall the Permittee achieve compliance with the above limitations or Categorical Pretreatment Standards by diluting its industrial waste with potable water, nonpotable water, sanitary sewage, or any other liquid diluent.
2. During the effective period of this permit, there may be limitations on average and maximum rate and time of discharge or requirements for flow regulation and equalization.

3. Any trucked or hauled pollutants generated may only be discharged at the Dry Creek Wastewater Treatment Facility at the Septic Dump Station or into the Industrial Waste Evaporation pond, after written approval of the Board of Public Utilities.

## PART 2 — MONITORING REQUIREMENTS

A. From the period beginning on 1 July 2008 through 30 June 2011, the permittee shall monitor the following outfalls for the following parameters, at the indicated frequency:

### Outfall 001

<u>Sample Parameter (units)</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow	Continuous	Time Stamp Recording Meter
Biochemical Oxygen Demand (BOD)	1/month	24 hr Composite
TSS	1/month	24 hr Composite
pH	1/day	Instantaneous
Ammonia (mg/l)	Twice/Month	24 hr Composite
Arsenic (mg/l)	Twice/Month	24 hr Composite
Cadmium (mg/l)	Twice/Month	24 hr Composite
Chromium (mg/l)	Twice/Month	24 hr Composite
Copper (mg/l)	Twice/Month	24 hr Composite
Lead (mg/l)	Twice/Month	24 hr Composite
Mercury (mg/l)	Twice/Month	24 hr Composite
Molybdenum (mg/l)	Twice/Month	24 hr Composite
Nickel (mg/l)	Twice/Month	24 hr Composite
Selenium (mg/l)	Twice/Month	24 hr Composite
Silver (mg/l)	Twice/Month	24 hr w Composite
Zinc (mg/l)	Twice/Month	24 hr Composite
Total Petroleum Hydrocarbons (mg/l)	Twice/Month	Grab
Oil & Grease	Twice/Month	Grab
Benzene	Twice/Month	Grab
BTEX	Twice/Month	Grab
Volatile Organics (EPA Method 624)	Twice/Month	Grab
Sulfides	Twice/month	Grab

Outfalls 002,003, 004 and 005

Sample		
<u>Parameter (units)</u>	<u>Frequency</u>	<u>Sample Type</u>
pH	Quarterly	Grab
Ammonia	Quarterly	Composite (4 grabs over 8 hours)
BOD	Quarterly	Composite (4 grabs over 8 hours)
TSS	Quarterly	Composite (4 grabs over 8 hours)
Oil and Grease	Quarterly	Composite (4 grabs over 8 hours)
Total Petroleum Hydrocarbons(mg/l)	Quarterly	Composite (4 grabs over 8 hours)
Benzene (ug/l)	Quarterly	Grab
BTEX (Sum of Benzene, Toluene, Ethylbenzene, Xylene) (ug/l)	Quarterly	Grab

B. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow.

- (1) A "Composite" sample, for monitoring requirements, is defined as a sample that is collected over time, formed either by a continuous sampling or by mixing discrete samples. (i.e. 1 sample per hour for 24 hours) A shorter collection time may be specified if the permittee does not operate over a 24 hour period.

The sample may be composited either as a time Composite sample: composed of discrete sample aliquots in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.

- (2) A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.

- (3) An "Instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation or measurement using existing monitoring facilities.

C. All handling and preservation of collected samples and laboratory analysis of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

D. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

1. The date, exact place, time, and method of sampling or measurements, and sample preservation technique or procedures;
2. Who performed the sampling or measurement;
3. Dates the analysis were performed;
4. Person(s) who performed the analysis.
5. Analytical technique used and method detection limit.
6. Results of all analysis.

E. All records and information resulting from the monitoring activities required by this permit shall be retained a minimum of three (3) years.

### **PART 3 — REPORTING REQUIREMENTS**

#### **A. Monitoring Reports**

Monitoring results obtained shall be summarized and reported to:

Board of Public Utilities,  
Dry Creek Water Reclamation Facility  
P.O. Box 1469  
Cheyenne, Wyoming 82007-1469

The reports are due not later than the last business day of the month following the close of the monitoring period. The first report is due on 30 August 2011. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the month preceding the submission of each report.

B. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the report submitted to the Board of Public Utilities of the City of Cheyenne, Water Reclamation Division. Such increased monitoring frequency shall also be indicated in the monthly self monitoring report.

C. Automatic Resampling

If the results of the permittee's wastewater analysis indicates that a violation of this permit has occurred, the permittee must:

1. Inform the Board of Public Utilities of the City of Cheyenne, Water Reclamation Division Industrial Pretreatment Program Coordinator, Compliance Programs Supervisor or Water Reclamation Division Manager of the violation within 24 hours of becoming aware of the violation at 307-635-3163, FAX 307-635-6833 or e-mail [kjohnson@cheyennebopu.org](mailto:kjohnson@cheyennebopu.org). Receipt of analytical results from an outside lab or contractor shall constitute "becoming aware".
2. Repeat the sampling and analysis for the violating pollutant(s) within five (5) days of becoming aware of the permit violation and submit, in writing, the results of this second analysis within thirty (30) days.

D. Accidental Discharge Report

1. The permittee shall notify the Board of Public Utilities of the City of Cheyenne, Water Reclamation Division, immediately upon the occurrence of a discharge of substances prohibited by this permit or Title 13 of the Code of the City of Cheyenne or any slug loads or spills that may enter the public sewer. During normal business hours the Water Reclamation Division shall be notified by telephone at 307-635-3163, or FAX 307-635-6833. At all other times, the Water Reclamation Division shall be notified by telephone at 307-635-3163. The permittee shall post these contact numbers and provide training to employees as to the proper procedure for providing emergency notification to the Water Reclamation Division.

2. The notification shall include the location of discharge, date and time hereof, type of waste, including concentration and volume, and corrective actions taken. In addition the permittee shall collect a grab sample of the discharge and hold the sample for analysis. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state or federal laws.

Within ten (10) days following a discharge, the permittee shall submit to the Cheyenne Board of Public Utilities, Water Reclamation Division a detailed written report. The report shall specify:

- a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
- b. Duration of noncompliance, including exact dates and times of noncompliance and, if the compliance is continuing, the time by which compliance is reasonably expected to occur.
- c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

E. ANNUAL REPORT OF HAZARDOUS WASTE GENERATION AND DISPOSAL:

Industrial users shall submit to the Water Reclamation Division of the BOPU, their biennium report of RCRA Defined hazardous waste generation and disposal. The Permittee shall also report the discharge waste to the POTW that is covered by 40 CFR Section 403.12. This includes reporting the discharge of all pollutants or waste, that if discharged by any other disposal method, other than to the POTW, would be classified as a hazardous waste.

F. Best Management Practices Plan

Within ninety (90) days of the effective date of this permit, the permittee shall submit it's Best Management Practices Plan, Spill Prevention and Response Plan to minimize the potential for spills and/or slug discharges to the Cheyenne Wastewater Collection System.

Failure of the plan to prevent violations or any other provisions of the permit in no way relieves the permittee from its legal liability for noncompliance with the permit conditions.

The Best Management Practices Plan must address the following (per 40 CFR 403.8(f)(2)(v)):

1. A description of discharge practices, including non-routine batch discharges;
2. A description of stored chemicals;
3. Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate the restrictions listed on pages 2, 3, 4, and 5 of this permit, and procedures required on page 9, for the "Accidental Discharge Report".
4. Procedures to prevent adverse impact from accidental spills, including:
  - a. Handling and Maintenance of storage areas,
  - b. Handling and transfer of materials,
  - c. Loading and unloading operations
  - d. Control of plant site run-off,
  - e. Worker training,
  - f. Building of containment structures or equipment,
  - g. Measure for containing toxic organic pollutants (including solvents),
  - h. Measure and equipment for emergency spill response.

G. SCHEDULE OF COMPLIANCE

The permittee shall maintain Material Safety Data sheets (MSDS) on all hazardous material utilized at Frontier Refining and shall make them available upon request to the permit issuing authority.

PART 4 - SPECIAL CONDITIONS

REOPENER CLAUSE

This permit may be reopened and modified to incorporate any new or revised requirements contained in National Categorical Pretreatment Standards, National Pollutant Discharge Elimination System or to incorporate any new or revised Pretreatment Standards or requirements developed by the Board of Public Utilities, Water Reclamation Division as are necessary to ensure the POTW compliance with its approved Industrial Pretreatment Program, NPDES Permit(s), Clean Water Act, Applicable Biosolids Management Requirements, or State Water Quality Standards.

PART 5 - STANDARD CONDITIONS

SECTION A. GENERAL CONDITIONS AND DEFINITION

1. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatelements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or Local pretreatment standards or requirements.
- b. Material or substantial alterations or additions to the discharger's operation processes, discharge volume or character which were not considered in drafting the effective permit.
- c. A change in the operation of either the industrial user or the POTW processes that require either a permanent reduction or elimination of the authorized discharge.
- d. Information indicating that the permitted discharge poses a threat to the Board of Public Utilities's collection and treatment system, POTW personnel or the receiving waters.
- e. Violating any terms or conditions of the permit.
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13.
- h. To correct typographical or other errors in the permit  
Any violation of the permit directly attributable to a typographical or other error in the permit may be excused in the discretion of the permit issuing authority.
- i. To reflect transfer of the facility ownership and/or operation to a new owner/operator
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, shall not render any permit condition ineffective pending a response by the permit issuing authority.

5. Permit Termination

This permit may be terminated for the following reasons:

- a. Falsifying self monitoring reports
- b. Tampering with monitoring equipment
- c. Refusing to allow timely access to the facility premises and records
- d. Failure to pay fines
- e. Failure to pay sewer charges
- f. Failure to meet compliance schedules.
- g. Violating this permit or a pretreatment standard or requirement.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30)) days of the permit issuance.

This petition must be in writing; failure to submit a petition for review shall be deemed a waiver of the right to appeal. In its petition, the Permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative conditions, if any, it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending a reconsideration by the Cheyenne Board of Public Utilities. If, after considering the petition and any arguments put forth by the control authority, the Board determines that reconsideration is proper, it shall remand the permit back to the control authority for reissuance. Those permit provisions being reconsidered by the Board shall be stayed pending reissuance.

The Board of Public Utilities' decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review. The Permittee seeking judicial review of the Board's final action must do so by filing a complaint with the District Court for Laramie County within thirty (30) days.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or Local laws or regulations.

8. Limitation on Permit Transfer

Permits may not be reassigned or transferred to a new owner and/or operator without prior written approval of the control authority. A new owner must apply for a new permit within 60 days. The terms of the existing permit will remain in effect until a new permit is issued.

9. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least ninety (90) days before the expiration date of this permit.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if;

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or omission attributable to the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions: See Cheyenne City Code, Title 13, Chapter 13.20, Article 1, Section 13.20.020.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times apply Best Management Practices and utilize the Best Available Technology in the proper operation and maintenance of all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. The control authority is cognizant of the application of the Federal Anti-Deficiency Act to the Permittee.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, When the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

- (a) Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist.
- (b) The permittee may allow bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation.

(c) Notification of bypass:

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice at least 10 days before the date of the bypass, to the permitting agency.
- (2) Unanticipated bypass. The permittee shall immediately notify the permitting agency by telephone and submit a written notice to the POTW within 5 days. This report shall specify:
  - (i) A description of the bypass, and its cause, including its duration;
  - (ii) Whether the bypass has been corrected; and
  - (iii) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

SECTION C. MONITORING AND RECORDS

1. Representative sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to the approval of permitting authority.

2. Flow Measurements

A flow measuring device and method consistent with approved scientific practices shall be selected and installed to ensure the accuracy of the volume of monitored discharges. The device shall be installed and calibrated by the permittee and maintained by the BOPU per agreement. The device selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates through the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 for Wastewater and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Inspection and Entry

The permittee shall allow the Board of Public Utilities of the City of Cheyenne, Water Reclamation Division or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under this permit, could originate, be stored, or be discharged to the sewer system.

5. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application.

The period may be extended by request of the permitting authority at any time.

- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the permitting authority shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

6. Falsifying information

Knowingly making any false statement or any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

SECTION D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice to the permit issuing authority 90 days prior to any facility expansion, production increase, or process modifications which result in new or substantially increased discharges or a change in the nature of the discharge. Substantial Change shall be defined as a 20 percent increase in the quantity of wastewater discharged from that identified in the permit application or a 20 percent increase in the concentration or loading of any permit limited pollutant.

2. Anticipated Noncompliance

The permittee shall give advance notice to the permit issuing authority of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

3. Duty to Provide Information

The permittee shall furnish to the Board of Public Utilities of the City of Cheyenne, within five (5) working days any information which the Board of Public Utilities may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also, upon request, furnish to the Board of Public Utilities within five (5) working days copies of any records required to be kept by this permit.

4. Signatory Requirements

All applications, reports, or information submitted to the Cheyenne Board of Public Utilities must contain the following certification statement and be signed by the Refinery Manager or his duly authorized representative from the Environmental Management Section:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possibility of fine and imprisonment for knowing violations."

5. Annual Publication

A list of all industrial users which were subject to enforcement proceedings or were found to be in significant noncompliance during the twelve (12) previous months shall be annually published by the Board of Public Utilities of the City of Cheyenne in the largest daily newspaper within its service area. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section. The criteria used to define significant noncompliance are specified in the Code of the City of Cheyenne, Title 13, Section 13.20.020.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under the Code of the City of Cheyenne, Title 13.

7. Penalties for Violations of Permit Conditions

Any person who violates a permit condition is subject to an administrative or civil penalty of up to \$1000.00 per day per violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties or a fine up to \$750.00 per violation per day, or by imprisonment for the amount of time authorized by local, state and federal law, or both. The permittee may also be subject to sanctions under State and/or Federal law.

8. Recovery of Cost Incurred

In addition to any penalties, the permittee violating any of the provisions of this permit or Title 13 of the Code of the City of Cheyenne or causing damage to or otherwise inhibiting the Board of Public Utilities wastewater disposal system shall be liable to the Board of Public Utilities for any expense, loss, or damage caused by such violation or discharge. The Board of Public Utilities shall bill the permittee for the costs incurred by the Board of Public Utilities for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Title 13 of the Code of The City of Cheyenne and The Board of Public utilities Rules and Regulations.

# SELF MONITORING REPORT

FRONTIER REFINERY INC  
2500 EAST 5<sup>TH</sup> STREET  
CHEYENNE, WY 82001

BOPU IWP #2008 FRONTIER-2

SAMPLING LOCATION: (001)

FOR THE MONITORING PERIOD: \_\_\_\_\_ AVERAGE FLOW: \_\_\_\_\_

SAMPLING:

DATE	SAMPLE #	TIME	VOLUME (ml)	SAMPLED BY (NAME)
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POLLUTANT LEVEL (MG/L OR UG/L):

TSS	BOD:	PH:	AMMONIA:
ARSENIC:	CADMIUM:		CHROMIUM:
COPPER:	LEAD:	MERCURY:	
MOLYBDENUM:	NICKEL:	SELENIUM:	
SILVER:	ZINC:		
OIL AND GREASE:			
TOTAL PETROLEUM HYDROCARBONS:			
VOLATILE ORGANICS: (ATTACH ANALYSIS)			
BENZENE:			
BETX (BENZENE, ETHYLBENZENE, TOLUENE, XYLENE):			

INDICATE EPA APPROVED ANALYTICAL METHOD FROM 40 CFR PART 136  
UTILIZED AND DETECTION LIMIT:

BOD:	TSS:	Ammonia:	PH:
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ARSENIC:	CADMIUM:	CHROMIUM:
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COPPER:	LEAD:	MERCURY:
MOLYBDENUM:	NICKEL:	SELENIUM:
SILVER:	TPH:	OIL & GREASE:
ORGANICS:	BENZENE:	BTEX:

ATTACH AN EXPLANATION OF ANY PERMIT VIOLATIONS

Page 2

SAMPLING LOCATION: 002

FOR THE MONITORING PERIOD: \_\_\_\_\_

SAMPLING:

DATE	SAMPLE #	TIME	VOLUME (ml)	SAMPLED BY (NAME)
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POLLUTANT LEVEL (MG/L OR UG/L) :

BOD: \_\_\_\_\_ TSS \_\_\_\_\_ PH: \_\_\_\_\_

AMMONIA: \_\_\_\_\_ OIL AND GREASE: \_\_\_\_\_

TOTAL PETROLEUM HYDROCARBONS: \_\_\_\_\_

VOLATILE ORGANICS: (ATTACH ANALYSIS)

BENZENE: \_\_\_\_\_

BETX (BENZENE, ETHYLBENZENE, TOLUENE, XYLENE) : \_\_\_\_\_

SAMPLING LOCATION: 003

FOR THE MONITORING PERIOD: \_\_\_\_\_

SAMPLING:

DATE	SAMPLE #	TIME	VOLUME (ml)	SAMPLED BY (NAME)
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POLLUTANT LEVEL (MG/L OR UG/L) :

BOD: \_\_\_\_\_ TSS \_\_\_\_\_ PH: \_\_\_\_\_

AMMONIA: \_\_\_\_\_ OIL AND GREASE: \_\_\_\_\_

TOTAL PETROLEUM HYDROCARBONS: \_\_\_\_\_

VOLATILE ORGANICS: (ATTACH ANALYSIS)

BENZENE: \_\_\_\_\_

BETX (BENZENE, ETHYLBENZENE, TOLUENE, XYLENE) : \_\_\_\_\_

SAMPLING LOCATION: 004

FOR THE MONITORING PERIOD: \_\_\_\_\_  
SAMPLING:

<u>DATE</u>	<u>SAMPLE #</u>	<u>TIME</u>	<u>VOLUME (ml)</u>	<u>SAMPLED BY (NAME)</u>
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POLLUTANT LEVEL (MG/L OR UG/L):

<u>BOD:</u>	<u>TSS</u>	<u>PH:</u>
<u>AMMONIA:</u>	<u>OIL AND GREASE:</u>	
<u>TOTAL PETROLEUM HYDROCARBONS:</u>		
<u>VOLATILE ORGANICS: (ATTACH ANALYSIS)</u>		
<u>BENZENE:</u>		
<u>BETX (BENZENE, ETHYLBENZENE, TOLUENE, XYLENE):</u>		

SAMPLING LOCATION: 005

FOR THE MONITORING PERIOD: \_\_\_\_\_  
SAMPLING:

<u>DATE</u>	<u>SAMPLE #</u>	<u>TIME</u>	<u>VOLUME (ml)</u>	<u>SAMPLED BY (NAME)</u>
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POLLUTANT LEVEL (MG/L OR UG/L):

<u>BOD:</u>	<u>TSS</u>	<u>PH:</u>
<u>AMMONIA:</u>	<u>OIL AND GREASE:</u>	
<u>TOTAL PETROLEUM HYDROCARBONS:</u>		
<u>VOLATILE ORGANICS: (ATTACH ANALYSIS)</u>		
<u>BENZENE:</u>		
<u>BETX (BENZENE, ETHYLBENZENE, TOLUENE, XYLENE):</u>		

INDICATE EPA APPROVED ANALYTICAL METHOD FROM 40 CFR PART 136  
UTILIZED AND DETECTION LIMIT:

<u>BOD:</u>	<u>TSS:</u>	<u>PH:</u>
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<u>ARSENIC:</u>	<u>CADMIUM:</u>	<u>CHROMIUM:</u>
<u>COPPER:</u>	<u>LEAD:</u>	<u>MERCURY:</u>
<u>MOLYBDENUM:</u>	<u>NICKEL:</u>	<u>SELENIUM:</u>

SILVER: \_\_\_\_\_ TPH: \_\_\_\_\_ ORGANICS: \_\_\_\_\_  
BENZENE: \_\_\_\_\_ BTEX: \_\_\_\_\_ Sulfide: \_\_\_\_\_

EXPLAIN ANY PERMIT VIOLATIONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
Signature of Authorized Official                      Date  
Typed name of the individual above:  
Title:  
Phone number:

Submit this report along with all analytical data sheets, chain of custody and laboratory certification not later than thirty (30) days after the end of the monitoring period to:

Water Reclamation Division  
Industrial Pretreatment Program Coordinator  
P.O. Box 1469  
Cheyenne, WY 82003

(Frontier Refining may develop and submit their own self monitoring report form as long as it provides all the above information and includes required analytical data from outfalls 001, 002, 003, 004, and 005.)

## ANALYTICAL CERTIFICATION

This Certification must be completed by the Analytical Laboratory Performing service for Frontier Refining Inc. and submitted with each "Analytical Report".

"I certify that these analyses and resulting report(s) were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly analyze all samples and accurately report the results. I certify that all analysis were performed in accordance with methods approved for WASTEWATER under the latest revision to 40 CFR Part 136. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for analyzing the wastewater samples and generating the report(s), the analyses, report, and information submitted is, to the best of my knowledge and belief, true, accurate, and complete."

Signature

Title

Date

Name of Laboratory:

Address of Laboratory:

This certification is signed by: (type or print name):

Job Number/Sample ID Number:

1 June 2008

STATEMENT OF BASIS FOR FRONTIER REFINING

INDUSTRY FACT SHEET

1. Description of Industrial User

Frontier Refining Inc.  
2700 East 5<sup>th</sup> Street  
Cheyenne, WY 82007

- a. Frontier Refining Inc is the owner/operator of a 52,000 barrel/day-oil refinery. The facility refines crude oil into gasoline, diesel fuel, asphalt, coke and intermediates.
- b. Process wastewater is treated at the Frontier Wastewater Treatment Plant, which was completed in December of 1988 and consist of two parallel API Separators, an 800,000 gallon equalization tank, a dissolved air flotation tank, two parallel bioreactors and clarifiers, an aerobic digester, oily sludge thickener and polishing filters. Average annual flow is 432,000 gpd. Solid waste removed from the treatment facility are handled in compliance with RCRA regulations Or processed through the Coker Unit.
- c. Domestic wastewater is discharged directly into the BOPU sanitary sewer at outfalls designated 002, 003, 004 and 005(3000 gpd total) from its onsite employee toilets, showers and sinks. Outfalls 002 and 003 have a history of violations with petroleum products. Benzene, BTEX and TPH have been found in the discharges from theses outfalls. A consent order for the correction of the violations was issued and will remain in effect until consistent sustained compliance is observed.

2. Monitoring Requirements and Sample Type

Frontier is required to monitor their process wastewater for pollutant listed in their permit. VOC's, Benzene, BTEX, pH, Oil and Grease, Total Petroleum Hydrocarbons and Sulfide are collected as grab sample. These above pollutants will be monitored twice monthly. Metals, TSS and BOD are

24 hour composite samples. The above listed pollutants will be monitored twice monthly.

Monitoring of the 4 domestic outfalls to the Sanitary sewer will require sampling for conventional Pollutants and Volatile Organics and Total petroleum Hydrocarbons because of the high concentration of Petroleum in the soils within the plant boundary. Composite sampling of the domestic sites will consist of four grab samples over an 8 hour period by Frontier's Environmental contractor or otherwise meet the definition of "composite sample" in the permit.

### 3. Basis for the Permit Limits

The Permit Limits were derived from the current City of Cheyenne Local Limits in Title 13 of the Cheyenne City Code and of 40 CFR Part 419, Subpart B. Cracking Subcategory.

4. Selenium limit has been established after extensive sampling and evaluation. A mass based limit was established which will allow balancing of flow and concentration of the selenium in the discharge to prevent Exceeding the Maximum Allowable Headworks Loading at the Crow Creek Water Reclamation Facility.

**Kenneth W. Johnson, Pretreatment Coordinator**